

REMARKS

Claims 6 - 25 are now in this application. Claims 1 -5 are rejected.

Claims 1 - 5 are cancelled herein. New claims 6 - 25 are added to clarify the invention, to express the invention in alternative wording, and to address informalities in the original claims objected to by the Examiner.

Applicant submits herewith a substitute specification and abstract wherein amendments are effected to place the text thereof into proper English in accordance with 37 CFR 1.125(c). Also accompanying this amendment is a reproduction of the original specification and abstract with markings indicating the amendments effected in the substitute specification in accordance with MPEP §608.01(q) and 37 CFR 1.125(b). No new matter is added. Entry of the substitute specification and abstract is respectfully requested.

In the Office Action, original claims 1 - 5 were rejected under 35 U.S.C. 103(a) as being unpatentable for obviousness over U.S. Patent 5,226,987 to Matsumoto et al ("Matsumoto et al"), in view of Japanese Patent JP 63221140 to Uhara et al ("Uhara et al").

The Examiner contends that Matsumoto discloses a rubber composition having all of the components as the embodiments of the composition of the present application, except that it does not include the nickel and/or molybdenum containing compound of the present invention.

The Examiner further contends, however, that Uhara et al discloses the use of an organic molybdenum and an organic nickel compound to improve adhesion efficiency, and that it would have been obvious to a person of ordinary skill in the art to which the present invention relates, at the time the present invention was made, to have utilized (a) nickel and/or molybdenum containing compound(s) of Uhara et al in the composition of Matsumoto et al to improve adhesion efficiency, thereby resulting in the same composition as the present application.

With respect to the claims presently pending in the application after entry of this Amendment, Applicant respectfully differs from the Examiner's analysis of the foregoing two references and the conclusion of obviousness drawn therefrom; and respectfully asserts that the obviousness rejection is inapposite to the new claims. Applicant traverses the 35 U.S.C. 103(a) obviousness rejection with the following remarks. Applicant respectfully requests that the 35 U.S.C. 103 (a) based rejection of the previous claims be withdrawn and found inapplicable to the present claims.

Matsumoto et al discloses a radial tire having a steel cord-reinforced belt interposed between the carcass of the radial structure and the tread, and has a rubber reinforcing layer extending from the center to the edges along the inside of the tread. The rubber reinforcing layer is made of a rubber composition

containing resorcin or a resorcin derivative as a reinforcing agent in addition to carbon black and silica and also containing hexamethylenetetramine or a melamine derivative.

The claims in the present application have been amended to include a calcium-containing compound, previously recited in dependent claim 2, as an element of the principal composition of the present invention, as recited in new main claim 6. No new matter is added by any of the new claims. Support for all of the new claims is found in the original specification and claims.

Nothing in Matsumoto et al teaches, discloses, or suggests the further addition of a calcium-containing compound to a composition for promoting adhesion between the rubber and steel cords.

Uhara et al discloses an adhesion accelerator for rubber to steel in tires. The accelerator contains an organic molybdenum compound, preferably Mo dithiocarbamate or Mo dithiophosphate, mixed with a nickel-containing salt. The accelerator is stated to provide better adhesion than an accelerator made with a Ni-containing salt only; and equivalent adhesion to that provided by a cobalt salt.

Nothing in the abstract of Uhara et al teaches, discloses, or suggests that the further inclusion of a calcium-containing compound further improves adhesion.

Accordingly, there is nothing in Uhara et al or Matsumoto et al that teaches, discloses, or suggests that the further addition of a calcium-containing compound to a rubber composition containing the components recited according to new claim 6 and following, provides an improved adhesion between the rubber and steel cords.

For the foregoing reasons, applicant respectfully submits that the composition of the present application, as recited according to the new claims presently in the application after entry of this Amendment, patentably distinguish over both of the cited Matsumoto et al and Uhara et al references, both taken individually and in combination.

It is requested that the rejection of previous claims 1 - 5 be withdrawn and not be reapplied to the new claims. Reconsideration and further examination of the present application in view of this Amendment and the accompanying remarks is requested. It is believed that upon reconsideration, the Examiner will find that all of the new claims in the application, including claims 6 - 25, are in condition for allowance, the early notification of which is earnestly solicited.

New claims 6 - 20, inclusive represent a total of 20 claims and include 2 independent claims. Accordingly, no new claims beyond the total of 20 claims,

including 3 independent claims, paid for with the original application filing fee, are being added, therefore, there are no additional claims fees due at this time.

This Amendment is being filed within the original three month shortened statutory period for response, therefore no extension of time to respond or fee therefor is presently due.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any fees due with the filing of this Amendment, or credit any overpayments, to Deposit Account No. 10-1250.

Respectfully submitted,

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